

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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D'AMICO DRY D.A.C.,	:
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Petitioner,	:
	:
and	:
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	:
TREMOND METALS CORPORATION,	:
	:
Respondent.	:
	:
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20-CV-6256 (JPC)

ORDER

JOHN P. CRONAN, District Judge:


On August 8, 2020, Petitioner d'Amico Dry D.A.C. ("d'Amico Dry") filed an amended petition to confirm an arbitration award issued in its favor and against Respondent Tremond Metals Corporation ("Tremond"). Dkt. 4 ("Amended Petition"). In the Amended Petition, d'Amico Dry represented that the arbitrator had reserved jurisdiction to assess the legal fees and costs associated with the arbitration, *id.* ¶ 11, and that "[a]n award on this point is forthcoming and will be included in an Amended Petition in due course," *id.* ¶ 13. d'Amico Dry attached the second award (the "Cost Award") to its memorandum of law in support of its Amended Petition. Dkt. 14, Exh. 2. Although the memorandum of law refers to "the Award," *see, e.g.*, Dkt. 13 at 1, 3, 9, a "final award," *see id.* at 6, a "Final Award on Costs," *see id.* at 3, 6, and a "Costs Award," *see id.* at 3, it appears that d'Amico seeks confirmation of both the initial award and the Cost Award.

In order to clarify the record for the benefit of the parties and the Court, d'Amico must, by April 13, 2021, submit a letter explaining (1) whether it still seeks to amend its Amended Petition to request that the Court confirm the Cost Award; (2) if not, its view as to whether the Court can confirm the Cost Award without an Amended Petition, *see* 9 U.S.C. § 13, and the basis for that

view; and (3) if it does not intend to amend its Amended Petition and it believes the Court has the ability to confirm both awards on this record alone, whether it in fact requests that the Court confirm both awards. If Tremond wishes to respond, it may do so by filing a letter by April 16, 2021.

SO ORDERED.

Dated: April 8, 2021  
New York, New York



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JOHN P. CRONAN  
United States District Judge